

# County Council Of Howard County, Maryland

2005 Legislative Session

Legislative Day No. 8

## Resolution No.83-2005

Introduced by: The Chairman at the request of the County Executive

A RESOLUTION declaring that 20 acres of land located on Carrs Mills Road and owned by Howard County, Maryland is no longer needed by the County for a public purpose; authorizing the County Executive to transfer the property to the Board of Education of Howard County for the construction of an elementary school; placing certain conditions on the transfer of the property to the Board; waiving the advertising and bidding requirements of Section 4.201 of the County Code in connection with the property's conveyance; and providing that the County Executive is not bound to terminate the County's interest in the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration.

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Introduced and read first time \_\_\_\_\_, 2005.

By order \_\_\_\_\_  
Sheila M. Tolliver, Administrator

Read for a second time at a public hearing on \_\_\_\_\_, 2005.

By order \_\_\_\_\_  
Sheila M. Tolliver, Administrator

This Resolution was read the third time and was Adopted\_\_\_\_, Adopted with amendments\_\_\_\_, Failed\_\_\_\_, Withdrawn\_\_\_\_, by the County Council  
on \_\_\_\_\_, 2005.

Certified By \_\_\_\_\_  
Sheila M. Tolliver, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1           **WHEREAS**, the Board of Education of Howard County (the “Board”) has requested that  
2   Howard County convey a 20-acre parcel of land located at 14675 Carrs Mills Road (the “County  
3   Property”) for the construction of the Bushy Park Elementary School in exchange for  
4   approximately 14 acres of land located at the rear of the Laurel Woods Elementary School (the  
5   “Board Property”); and

6  
7           **WHEREAS**, the County Property is described as all of the property identified on Tax  
8   Map 14 as Parcel No. 15, acquired by a deed dated August 15, 1983 and recorded in Liber 1186,  
9   Folio 329 on September 2, 1983 from Walter Kaplan, Personal Representative of the Estate of  
10   Walter W. Jacobs, Howard H. Campaigne and Pearl M. Campaigne, Edward P. Neuberg and  
11   Helen G. Neuberg, Robert W. Douglas and Shirley A. Douglas, Stuart Mac Clintock and Nancy  
12   E. Mac Clintock, E. Dale Marston and Elizabeth S. Marston to Howard County, Maryland  
13   containing 20 acres of land and is currently being used as Glenwood Park; and

14  
15           **WHEREAS**, the Board Property is described as being 14 acres of land located at the rear  
16   of the Laurel Woods Elementary School, the approximate location is shown on Exhibit “A”  
17   attached hereto, and identified on Tax Map 47 as Parcel No. 762 acquired on October 25, 1962  
18   by deed dated October 23, 1962 and recorded in Liber 391, Folio 419 from Laurel Planning and  
19   Redevelopment Corporation to Board of Education of Howard County; and

20  
21           **WHEREAS**, the County has reviewed the Board’s request and determined that the  
22   construction of an elementary school on the County Property is in the public interest; and

23  
24           **WHEREAS**, even though the land being received by the County, the Board Property, is  
25   less acreage than the land being conveyed to the Board it has been appraised at a higher fair  
26   market value than the land being conveyed to the Board; and

27  
28           **WHEREAS**, Section 4.201 "Disposition of real property" of the Howard County Code  
29   authorizes the County Council to declare that property is no longer needed for public purposes

1 and also authorizes the County Council to waive advertising and bidding requirements for an  
2 individual conveyance of such property upon the request of the County Executive; and  
3

4 **WHEREAS**, the County Council has received a request from the County Executive to  
5 waive the advertising and bidding requirements in this instance for an individual conveyance of  
6 the County Property to the Board.  
7

8 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
9 Maryland, this \_\_\_\_ day of \_\_\_\_\_, 2005, that the County Property is no longer needed  
10 by the County for public purposes as long as the County Property shall be used by the Board as  
11 an elementary school site;  
12

13 **AND BE IT FURTHER RESOLVED** that, having received a request from the County  
14 Executive and having held a public hearing, the County Council declares that the best interest of  
15 the County will be served by authorizing the County Executive to waive the usual advertising  
16 and bidding requirements of Section 4.201 of the Howard County Code for the conveyance of  
17 the County Property to the Board for the construction of the new Bushy Park Elementary School  
18 with the following conditions:  
19

- 20 1. That if the County Property is not used for the construction of the new Bushy Park  
21 Elementary School by December 31, 2008 then the fee simple title to the County  
22 Property shall revert to the County;
- 23 2. That the Board Property is conveyed to the County;  
24

25 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the  
26 Property may have a further public use and should not be disposed of, he may submit his  
27 findings and recommendations to the County Council for its consideration without being bound  
28 to dispose of the property by this Resolution.

EXHI

14.78 ACRES FROM BOARD OF  
EDUCATION TO HOWARD COU  
PART OF LAUREL WOODS  
ELEMENTARY SCHOOL PROPE

NORTH LAUREL COMMUNITY  
CENTER AND PARK SITE

SUBJECT  
PROPERTY

BOTTOM RD

